

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

OZBURN-HESSEY LOGISTICS, LLC,
in its capacity as Administrator of the
Ozburn-Hessey Logistics, LLC Health Benefit
Plan,

Plaintiff,

v.

EDEN SURGICAL CENTER, a California
Medical Corporation,

Defendant.

NO. 3:10-00228
JUDGE HAYNES


ORDER

In accordance with the Memorandum filed herewith, the Defendant's motion to dismiss (Docket Entry No. 5) for improper venue and alternatively for a transfer is **DENIED**.

Pursuant to 28 U.S.C. § 636(b)(1) (A) and (B), this action is referred to the Honorable John Bryant, Magistrate Judge to hear and determine any pretrial motions, including discovery matters, to conduct any necessary conferences and hearings and to submit a report and recommendation for disposition of any motion filed under Fed. R. Civ. P. 12, 15, 56 and 65.

It is so **ORDERED**.

ENTERED this the 18th day of June, 2010.


WILLIAM J. HAYNES, JR.
United States District Judge